

(2) No vessel shall loiter, anchor, stop, moor, remain or drift in any manner as to impede safe passage of another vessel to any launching ramp, marina, or fleeting area.

Dated: June 11, 2019.

**Paul F. Thomas,**

*RADM, U.S. Coast Guard, Commander,  
Eighth Coast Guard District.*

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## POSTAL REGULATORY COMMISSION

### 39 CFR Part 3050

[Docket No. RM2019-6; Order No. 5133]

#### Periodic Reporting

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Commission is acknowledging a recent filing requesting the Commission initiate a rulemaking proceeding to consider changes to analytical principles relating to periodic reports (Proposal One). This document informs the public of the filing, invites public comment, and takes other administrative steps.

**DATES:** *Comments are due:* August 20, 2019.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

**FOR FURTHER INFORMATION CONTACT:** David A. Trissell, General Counsel, at 202-789-6820.

#### SUPPLEMENTARY INFORMATION:

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#### I. Introduction

On June 21, 2019, the Postal Service filed a petition pursuant to 39 CFR 3050.11 requesting that the Commission initiate a rulemaking proceeding to consider changes to analytical principles relating to periodic reports.<sup>1</sup> The Petition identifies the proposed

<sup>1</sup> Petition of the United States Postal Service for the Initiation of a Proceeding to Consider Proposed Changes in Analytical Principles (Proposal One), June 21, 2019 (Petition).

analytical changes filed in this docket as Proposal One.

#### II. Proposal One

**Background.** Proposal One relates to the methodology used to calculate attributable Special Purpose Route (SPR) city carrier costs. Carriers on SPRs “deliver packages to addresses across a designated geographic area and collect mail from specified collection points.” Petition, Proposal One at 1. The SPR carriers “perform some or all of a number of different activities: Organize their mail in the office, load their vehicles, drive to the first delivery or collection spot, drive between delivery and collection spots, effect delivery or collection while out of the office, return to the office from the last delivery or collection spot, and unload their vehicles. These activities take place within three operations[:] regular Monday through Saturday delivery, Sunday delivery, and collection.” *Id.* The specific activities performed by each carrier depend on the operation. *Id.*

The current methodology used to attribute the SPR city carrier costs is based on a study that was presented by the Postal Service in Docket No. R97-1. *Id.* The Postal Service contends that the Docket No. R97-1 study should be updated because there have been “substantial changes” in the activities performed by SPR carriers. *Id.*

Specifically, the Postal Service states that “[a]s package volume has grown, the focus on SPR activities has shifted toward delivery and away from collection.” *Id.* at 1-2. The Postal Service comments that the “development of Sunday package delivery has also shifted SPR activities toward delivery.” *Id.* at 2. The Postal Service contends that these changes provide “motivation for an update and refinement” of the Docket No. R97-1 study. *Id.* at 1.

**Proposal.** The Postal Service's proposal seeks to revise the methodology used to attribute SPR city carrier costs by replacing the study currently used by the Postal Service's model with a proposed study that the Postal Service believes more accurately reflects SPR carrier activities and cost drivers.<sup>2</sup>

The Postal Service's proposed study estimates separate variability models for regular delivery, Sunday delivery, and collection. Petition, Proposal One at 3. It uses the total hours involved in each activity as the dependent variables in

<sup>2</sup> A New Study of Special Purpose Route Carrier Costs, Professor Michael D. Bradley, June, 21, 2019 (Proposed Study).

these regressions to ensure that “any connection [of these associated times] to volume [is] incorporated into the estimated variability.” *Id.*

The explanatory variables in the proposed models include the cost drivers and characteristic variables that control for non-volume variations in hours. *Id.* The Postal Service states that a “number of different functional forms are estimated, and a variety of different econometric techniques are investigated.” *Id.* at 3-4.

The proposed study calculates separate cost pools for regular delivery, Sunday delivery, and collection. *Id.* at 4. The Postal Service states that “[e]ach cost pool is based upon the hours required to complete the included activities and the wages associated with the types of carrier accruing the hours”. *Id.*

**Rationale and impact.** The Postal Service states that the “objective of this proposal is to update and improve the methodology for calculating attributable Special Purpose Route (SPR) city carrier costs.” *Id.* at 1. The Postal Service contends that Proposal One would improve the analysis of SPR costs “in a number of ways.” *Id.* at 3.

First, the Postal Service avers that the proposed study's structure “reflects current operational practice and management.” *Id.* Second, the Postal Service states that it “makes use of ongoing operational databases” to gather data from every SPR location, “greatly expanding the scope of the analysis.” *Id.* Third, the Postal Service claims that the proposed study “explicitly accounts for the December peak in package volumes in determining product costs and allows for other seasonal variation throughout the year.” *Id.* Fourth, the Postal Service states that the proposed study “incorporates the differences in wages for different types of SPR carriers when forming cost pools.” *Id.* Fifth, the Postal Service asserts that the proposed study “explicitly models Sunday package delivery costs based upon the actual packages delivered.” *Id.*

In terms of impact, the Postal Service's proposed study produces a higher overall variability than the existing study. *Id.* at 4. The Postal Service calculates the FY 2018 variability for SPRs as 56.3 percent. *Id.* Under the proposed study, the overall variability would rise to 61.4 percent. *Id.* The Postal Service explains that this increase is a result of a “higher regular delivery variability offsetting a slightly lower collection variability and the estimation of an actual Sunday variability in place of the assumption of 100 percent variability.” *Id.*

The Postal Service has observed two major cost shifts under the proposed study: (1) A shift from letter and flat shaped mail to packages; and (2) a shift from market dominant products to competitive products. *Id.* at 5. The Postal Service asserts that these effects result from “the updated data that underlie the new study capture the shift in SPR activities from collection to delivery that has taken place as package volumes have increased.” *Id.* The Postal Service notes that “SPR delivery is a package-related cost, whereas collection includes both letters and flats.” *Id.* The Postal Service concludes that “[t]he activity shift toward delivery also underlies the cost shift from market dominant to competitive products.” *Id.*

### III. Notice and Comment

The Commission establishes Docket No. RM2019–6 for consideration of matters raised by the Petition. More information on the Petition may be accessed via the Commission’s website at <http://www.prc.gov>. Interested persons may submit comments on the Petition and Proposal One no later than August 20, 2019. Pursuant to 39 U.S.C. 505, Lawrence Fenster is designated as an officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

### IV. Ordering Paragraphs

*It is ordered:*

1. The Commission establishes Docket No. RM2019–6 for consideration of the matters raised by the Petition of the United States Postal Service for the Initiation of a Proceeding to Consider Proposed Changes in Analytical Principles (Proposal One), filed June 21, 2019.

2. Comments by interested persons in this proceeding are due no later than August 20, 2019.

3. Pursuant to 39 U.S.C. 505, the Commission appoints Lawrence Fenster to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this docket.

4. The Secretary shall arrange for publication of this Order in the **Federal Register**.

By the Commission.

**Stacy L. Ruble,**

*Secretary.*

[FR Doc. 2019–13930 Filed 6–28–19; 8:45 am]

**BILLING CODE 7710–FW–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 62

[EPA–R03–OAR–2019–0187; FRL–9995–88–Region 3]

### Approval and Promulgation of State Plans for Designated Facilities and Pollutants; West Virginia; Control of Emissions From Existing Municipal Solid Waste Landfills

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve a Clean Air Act (CAA) section 111(d) plan submitted by the West Virginia Department of Environmental Protection (WVDEP). This plan was submitted to fulfill the requirements of the CAA and in response to the EPA’s promulgation of Emissions Guidelines and Compliance Times for municipal solid waste (MSW) landfills. The West Virginia plan establishes emission limits for existing MSW landfills, and provides for the implementation and enforcement of those limits.

**DATES:** Written comments must be received on or before July 31, 2019.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA–R03–OAR–2019–0187 at <https://www.regulations.gov>, or via email to [gordon.mike@epa.gov](mailto:gordon.mike@epa.gov). For comments submitted at [Regulations.gov](https://www.regulations.gov), follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [Regulations.gov](https://www.regulations.gov). For either manner of submission, the EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be confidential business information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit

<http://www2.epa.gov/dockets/commenting-epa-dockets>.

### FOR FURTHER INFORMATION CONTACT:

Mike Gordon, Permits Branch (3AD10), Air and Radiation Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. The telephone number is (215) 814–2039. Mr. Gordon can also be reached via electronic mail at [gordon.mike@epa.gov](mailto:gordon.mike@epa.gov).

### SUPPLEMENTARY INFORMATION:

#### I. Background

On August 29, 2016, the EPA finalized Standards of Performance for MSW landfills and Emission Guidelines and Compliance Times for MSW Landfills in 40 CFR part 60 subpart XXX and Cf. 81 FR 59332 and 81 FR 59313, respectively. These actions were taken under section 111 of the CAA.

Section 111(d) of the CAA requires the EPA to establish a procedure for a state to submit a plan to the EPA which establishes standards of performance for any air pollutant: (1) For which air quality criteria have not been issued or which is not included on a list published under CAA section 108 or emitted from a source category which is regulated under CAA section 112 but; (2) to which a standard of performance under CAA section 111 would apply if such existing source were a new source. The EPA established these requirements for state plan submittal in 40 CFR part 60, subpart B. State submittals under CAA sections 111(d) must be consistent with the relevant emission guidelines, in this instance 40 CFR part 60, subpart Cf, and the requirements of 40 CFR part 60, subpart B and part 62, subpart A.

On September 13, 2018, the West Virginia Department of Environmental Protection (WVDEP) submitted to the EPA a formal section 111(d) for existing municipal solid waste landfills. The submitted section 111(d) was in response to the August 29, 2016 promulgation of Federal New Source Performance Standards (NSPS) and emission guidelines requirements for MSW landfills, 40 CFR part 60, subparts XXX and Cf, respectively (76 FR 15372).

#### II. Summary of SIP Revision and EPA Analysis

The EPA has reviewed the West Virginia section 111(d) plan submittal in the context of the requirements of 40 CFR part 60, subparts B and Cf, and part 62, subpart A. In this action, the EPA is proposing to determine that the submitted section 111(d) plan meets the above-cited requirements. Included within the section 111(d) plan are regulations under the West Virginia